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October 26, 2004

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Response to Restriction Requirement.

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P10/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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Response to Restriction Requirement (2 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450.

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In re Application: Glenn Pierce et al.

Serial No.: 10/804,943

Filed: March 19, 2004

Art Unit: 3765

Confirmation No.: 8072

For: **SYSTEM AND METHOD FOR CONTROLLING WIDTH AND STITCH DENSITY
OF A FABRIC WEB**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed September 28, 2004, Applicant hereby provisionally elects the species illustrated by Figure 3 (Claim 29) for prosecution in the above-identified application.

If any fees for the accompanying response are required, Applicant requests that this be considered a Petition therefore. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 09-0528.

Remarks

The Office Action requires election of a single disclosed species for prosecution on the merits. The Examiner considers the species illustrated in Figures 3 and 4 to be patentably distinct species of the same invention, and claim 28 to be generic and linking the claims drawn to the species illustrated in Figures 3 and 4.

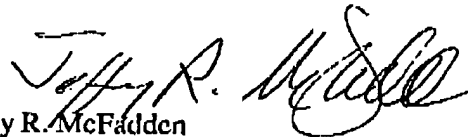
Applicant believes that Claims 29-30, 32-37, 39-40 and 42-48 are consistent with the Examiner's categorization of the provisionally elected species illustrated in Figure 3. Applicant understands that upon allowance of a generic claim, Applicant will be entitled to consideration of

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provisionally non-elected Claims 31, 38, 41, and 49-52 if these claims are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Immediate examination of Claims 1-28, 29-30, 32-37, 39-40, 42-48 and 53-79 is hereby requested.

Respectfully submitted,



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